

AMENDED IN SENATE AUGUST 19, 2014  
AMENDED IN SENATE AUGUST 5, 2014  
AMENDED IN SENATE JULY 2, 2014  
AMENDED IN ASSEMBLY MAY 8, 2014  
AMENDED IN ASSEMBLY APRIL 24, 2014  
AMENDED IN ASSEMBLY APRIL 21, 2014  
AMENDED IN ASSEMBLY MARCH 24, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2282**

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**Introduced by Assembly Member Gatto**

February 21, 2014

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An act to add Sections 17921.5 and 18940.6 to the Health and Safety Code, relating to building standards.

LEGISLATIVE COUNSEL'S DIGEST

AB 2282, as amended, Gatto. Building standards: recycled water systems.

The California Building Standards Law provides for the adoption of building standards by state agencies by requiring all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval and adoption. In the absence of a designated state agency, the commission is required to adopt specific building standards, as prescribed. Existing law requires the commission to publish, or cause to be published, editions of the California Building Standards Code in

its entirety once every 3 years. Existing law requires the Department of Housing and Community Development to propose the adoption, amendment, or repeal of building standards to the commission and to adopt, amend, and repeal other rules and regulations for the protection of the public health, safety, and general welfare of the occupants and the public involving buildings and building construction.

This bill would require the department, in consultation with other designated entities, to conduct research to assist in the development of, and to submit for adoption by the commission of, mandatory building standards for the installation of recycled water systems for newly constructed single-family and multifamily residential buildings. The bill would authorize the department to expend funds from the existing Building Standards Administration Special Revolving Fund for this purpose, upon appropriation. The bill would require the department to limit the mandate to install recycled water systems within residential buildings and building site landscaped areas to areas within a local jurisdiction that meet specified conditions. The bill would require the department to develop the application provisions in consultation with specified entities. The bill would define the term “recycled water” for these purposes.

This bill would require the commission to undertake identical research and activities with respect to development of mandatory green building standards for the installation of recycled water systems for newly constructed commercial and public buildings.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 17921.5 is added to the Health and Safety
- 2 Code, to read:
- 3 17921.5. (a) For purposes of this section, “recycled water”
- 4 has the same meaning as that term is defined in subdivision (n) of
- 5 Section 13050 of the Water Code, and is consistent with the
- 6 recycled water use criteria specified in Chapter 3 (commencing
- 7 with Section 60301.100) of Division 4 of Title 22 of the California
- 8 Code of Regulations.
- 9 (b) (1) The department shall conduct research to assist in the
- 10 development of mandatory building standards for the installation
- 11 of recycled water systems for newly constructed single-family and

1 multifamily residential buildings. In conducting this research, the  
2 department shall actively consult with the State Water Resources  
3 Control Board, the State Department of Public Health, and other  
4 interested parties, including, but not limited to, public water  
5 systems, recycled water producers, product manufacturers, local  
6 building officials, apartment and other rental property owners,  
7 California licensed contractors, and the building industry.

8 (2) In researching, developing, and proposing mandatory  
9 building standards under this section, the department is authorized  
10 to expend funds from the Building Standards Administration  
11 Special Revolving Fund, upon appropriation pursuant to Section  
12 18931.7.

13 (3) Research conducted to propose building standards pursuant  
14 to this section shall include, but is not limited to, the following:

15 (A) Potential outdoor applications for recycled water, consistent  
16 with the recycled water use criteria specified in Chapter 3  
17 (commencing with Section 60301.100) of Division 4 of Title 22  
18 of the California Code of Regulations.

19 (B) Potential indoor applications for recycled water, consistent  
20 with the recycled water use criteria specified in Chapter 3  
21 (commencing with Section 60301.100) of Division 4 of Title 22  
22 of the California Code of Regulations. With respect to indoor  
23 applications, the department shall consider whether to adopt or  
24 recommend measures in addition to the current standards adopted  
25 in the California Plumbing Code in Title 24 of the California Code  
26 of Regulations to ensure the safe installation of indoor recycled  
27 water piping or systems, including, but not limited to, requiring  
28 purple pipe or special markings on recycled water piping that states  
29 clearly whether it is approved for indoor use, or recommending  
30 restrictions on who may purchase or install recycled water piping  
31 for indoor use.

32 (C) The cost of various recycled water systems.

33 (D) The estimated quantity of water savings under varying levels  
34 of application of recycled water in residential buildings and  
35 building site landscaped areas.

36 (4) The department may research standards for different types  
37 of water recycling systems, including noncentralized systems, *but*  
38 *shall only mandate systems* to the extent that they meet all of the  
39 health and safety standards specified in this section.

(c) (1) The department shall submit for adoption mandatory building standards for the installation of recycled water systems for newly constructed single-family residential and multifamily residential buildings. The department shall submit the proposed mandatory building standards to the California Building Standards Commission for consideration during the 2016 Intervening Code Adoption Cycle, and may ~~amend~~ *propose the amendment or repeal* of these mandatory standards as necessary in future code adoption cycles, consistent with the recycled water use criteria specified in Chapter 3 (commencing with Section 60301.100) of Division 4 of Title 22 of the California Code of Regulations.

(2) When developing the application provisions for the mandatory building standards, the department shall limit the mandate to install recycled water systems within residential buildings and building site landscaped areas to only those areas within a local jurisdiction that have feasible and cost-efficient access to a water recycling facility, or that have been identified by the local jurisdiction within a planned service area for the provision of recycled water for which a specific implementation timeline has been identified by the public water system in its most recent urban water management plan.

(3) The mandate to install recycled water piping shall not apply to service areas in which the only recycled water use is for potable purposes, or in which net nonpotable deliveries are anticipated to remain level or decrease as a result of the potable reuse project.

(4) The department shall develop the application provisions for the mandatory building standards required under paragraph (1), in consultation with the State Water Resources Control Board, public water systems, recycled water producers, and water research associations.

(5) A city, county, or city and county, in consultation with the public water system and recycled water producer, may further reduce the area for which the mandate to install recycled water piping applies, if the local public water system or recycled water producer finds that providing recycled water to an area is not feasible or cost effective.

SEC. 2. Section 18940.6 is added to the Health and Safety Code, to read:

18940.6. (a) For purposes of this section, “recycled water” has the same meaning as that term is defined in subdivision (n) of

1 Section 13050 of the Water Code, and is consistent with the  
2 recycled water use criteria specified in Chapter 3 (commencing  
3 with Section 60301.100) of Division 4 of Title 22 of the California  
4 Code of Regulations.

5 (b) (1) The California Building Standards Commission shall  
6 conduct research to assist in the development of mandatory green  
7 building standards for the installation of recycled water systems  
8 for newly constructed commercial and public buildings, in  
9 consultation with the State Water Resources Control Board and  
10 other interested parties, including, but not limited to, public water  
11 systems, recycled water producers, product manufacturers, local  
12 building officials, apartment and other rental property owners,  
13 California licensed contractors, and the building industry.

14 (2) In researching, developing, and proposing mandatory  
15 building standards under this section, the commission is authorized  
16 to expend funds from the Building Standards Administration  
17 Special Revolving Fund, upon appropriation pursuant to Section  
18 18931.7.

19 (3) Research conducted in order to propose building standards  
20 pursuant to this section shall include, but is not limited to, the  
21 following:

22 (A) Potential outdoor applications for recycled water, consistent  
23 with the recycled water use criteria specified in Chapter 3  
24 (commencing with Section 60301.100) of Division 4 of Title 22  
25 of the California Code of Regulations.

26 (B) Potential indoor applications for recycled water, consistent  
27 with the recycled water use criteria specified in Chapter 3  
28 (commencing with Section 60301.100) of Division 4 of Title 22  
29 of the California Code of Regulations. With respect to indoor  
30 applications, the commission shall consider whether to adopt or  
31 recommend measures in addition to the current standards adopted  
32 in the California Plumbing Code in Title 24 of the California Code  
33 of Regulations, to ensure the safe installation of indoor recycled  
34 water piping or systems, including, but not limited to, requiring  
35 purple pipe or special markings on recycled water piping or systems  
36 that states clearly whether it is approved for indoor use, or  
37 recommending restrictions on who may purchase or install recycled  
38 water piping for indoor use.

39 (C) The cost of various recycled water systems.

1 (D) The estimated quantity of water savings under varying levels  
2 of application of recycled water in commercial and public buildings  
3 and building site landscaped areas.

4 (4) The ~~department~~ *commission* may research standards for  
5 different types of water recycling systems, including noncentralized  
6 systems, *but shall only mandate systems* to the extent that they  
7 meet all of the health and safety standards specified in this section.

8 (c) (1) The commission shall adopt mandatory building  
9 standards for the installation of recycled water systems for newly  
10 constructed commercial and public buildings. The commission  
11 shall consider the proposed mandatory building standards during  
12 the 2016 Intervening Code Adoption Cycle and may amend these  
13 mandatory standards as necessary in future code adoption cycles,  
14 consistent with the recycled water use criteria specified in Chapter  
15 3 (commencing with Section 60301.100) of Division 4 of Title 22  
16 of the California Code of Regulations.

17 (2) When developing the application provisions for the  
18 mandatory building standards, the commission shall limit the  
19 mandate to install recycled water systems within ~~residential~~  
20 *commercial and public* buildings and building site landscaped  
21 areas to only those areas within a local jurisdiction that have  
22 feasible and cost-efficient access to a water recycling facility, or  
23 that have been identified by the local jurisdiction within a planned  
24 service area for the provision of recycled water for which a specific  
25 implementation timeline has been identified by the public water  
26 system in its most recent urban water management plan.

27 (3) The mandate to install recycled water piping shall not apply  
28 to service areas in which the only recycled water use is for potable  
29 purposes, or in which net nonpotable deliveries are anticipated to  
30 remain level or decrease as a result of the potable reuse project.

31 (4) The commission shall develop the application provisions  
32 for the mandatory building standards required under paragraph (1)  
33 in consultation with the State Water Resources Control Board,  
34 public water systems, recycled water producers, and water research  
35 associations.

36 (5) A city, county, or city and county, in consultation with the  
37 public water system and recycled water producer, may further  
38 reduce the area for which the mandate to install recycled water  
39 piping applies, if the local public water system or recycled water

- 1 producer finds that providing recycled water to an area is not
- 2 feasible or cost effective.

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